

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|  |   |           |
|--|---|-----------|
| NANCY MCGINLEY,                        | ) |           |
| Special Administrator of the estate of | ) |           |
| Donald McGinley,                       | ) |           |
|  | ) |           |
| Plaintiff,                             | ) | 8:07CV424 |
|  | ) |           |
| vs.                                    | ) | ORDER     |
|  | ) |           |
| MEDTRONIC, USA, and                    | ) |           |
| MEDTRONIC, INC.,                       | ) |           |
|  | ) |           |
| Defendants.                            | ) |           |

This matter is before the court *sua sponte*.

The plaintiff filed the instant action in the District Court of Lancaster County, Nebraska, on June 27, 2007. **See** Filing No. 1, Ex. 1. On November 1, 2007, the defendants removed the action. **See** Filing No. 1. The subject matter of the lawsuit is about whether the implantable cardioverter defibrillator that was implanted in Donald McGinley was defective causing his death. Therefore, the case may be related to MDL-1726 ***In Re Medtronic, Inc., Implantable Defibrillators Products Liability Litigation***. However, the case has not been transferred to the MDL. The parties have taken no action in this case since the defendants' answer filed on November 6, 2007. Accordingly,

**IT IS ORDERED:**

The plaintiff shall have **until March 28, 2008**, to file a status report detailing the current posture of this matter.

DATED this 11th day of March, 2008.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge